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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

ROCHE PALO ALTO LLC, GILEAD PALO ALTO, INC. and GILEAD SCIENCES, INC.,) Civ. A. No. 2:10-03561 (ES) (SCM)
Plaintiffs,) NOTICE OF MOTION IN LIMINE TO
v.	EXCLUDE TESTIMONY OF R. POLK WAGNER
LUPIN PHARMACEUTICALS, INC. and LUPIN LTD.,	ORAL ARGUMENT REQUESTED
Defendants.) DOCUMENT FILED ELECTRONICALLY)

TO: Counsel of Record

PLEASE TAKE NOTICE that on a time and date set by the court, or as soon thereafter as counsel may be heard, the undersigned counsel for Defendants Lupin Ltd. and Lupin Pharmaceuticals, Inc. (collectively, "Lupin") shall appear before the Honorable Esther Salas,

U.S.D.J., Martin Luther King, Jr. Federal Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102, and shall move this Court in limine for entry of an Order precluding Plaintiffs Roche Palo Alto LLC, Gilead Palo Alto Inc., and Gilead Sciences Inc. (collectively "Plaintiffs") from presenting and/or relying on any testimony from R. Polk Wagner.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Lupin shall rely upon the accompanying Brief, the Declaration of Jeffrey Marx (with exhibits annexed thereto), all papers submitted herewith, and oral argument, which is specifically requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith for the Court's consideration.

Respectfully submitted,

Dated: March 4, 2013

SAIBER LLC

Attorneys for Defendants Lupin Pharmaceuticals, Inc. and Lupin Ltd.

By: s/ Arnold B. Calmann

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